

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, December 7, 2006
7:00 p.m. -Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

- I Roll Call
- II Public Hearing
 - None
- III Approval of Minutes
 - Planning Commission Meeting (11/28/06)
- IV New Business
 - 1. By-Law Adoption
 - 2. Election of Officers 2007
 - 3. Appointment of a Recording Secretary 2007
 - 4.
- V Unfinished Business
 - None
- VI Other Communications
 - 1.
 - 2.
- VII Citizen Questions, Concerns and Consideration
(Public Comment Procedures on the Reverse Side)
- VIII Work/Study Session
 - 1. Zoning Ordinance Update
 - 2.
- IX. Adjournment

Public Comment Procedures

The City of Manistee Planning Commission welcomes public comment in support of its decision-making process. To assure an orderly, fair and balanced process, the Planning Commission asks that participants at all public hearings and during the Public Comment portion of the meeting observe the following rule of procedure:

1. The Chairperson will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.
2. Each speaker shall state their name and address for the record and may present written comments for the record.
3. Speakers shall address all comments and questions to the Planning Commission.
4. Unless waived by the Planning Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for the collective comments of the group as presented by that speaker.
5. The Chairperson may request that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak.
6. The Chairperson may establish additional rules of procedure for particular hearings as he/she determines appropriate.
7. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior is not helpful to the decision-making process and may result in removal from the hearing or an adjournment.

Thank you for your interest in the work of the City of Manistee Planning Commission and for your cooperation with these rules of procedure.



PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
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MEMORANDUM

TO: Planning Commissioners
FROM: Denise Blakeslee 
DATE: November 28 2006
RE: December Planning Commission Meeting

Commissioners, the next meeting of the Planning Commission will be on Thursday, December 7, 2006 at 7:00 p.m. in the Council Chambers. We have the following items on the Agenda:

1. **By-Law Adoption.** The Planning Commission has been working on the development of new By-Laws which reflect the new Zoning Ordinance . Final changes were made at the Worksession on November 16, 2006 and the Planning Commission can now take action to approve the By-Laws.
2. **Election of Officers 2007.** During the December Meeting of each year the annual election of officers for the following year are held. The meeting will be turned over to Jon Rose to ask for nominations for Chair, Vice-Chair and Secretary.
3. **Appointment of a Recording Secretary 2007.** Once Elected the Secretary may appoint a Recording Secretary to handle the administrative functions of the office.

Under the Worksession portion of the meeting we have included Zoning Ordinance Update. Members are being forwarded the first drafts of changes as we discussed at the October 19, 2006 Worksession and Recommended Changes from the Ordinance Re-Write Committee Meeting of November 20, 2006.

Please call if you are unable to attend the meeting. See you next Thursday!

:djb

**CITY OF MANISTEE
PLANNING COMMISSION
BY-LAWS AND RULES OF PROCEDURES**

1. AUTHORITY

These By-laws and Rules of Procedures are adopted by the Planning Commission of the City of Manistee, County of Manistee, (hereinafter referred to as the Commission) pursuant to Public Act 110 of 2006, as amended, the Michigan Zoning Enabling Act; the City of Manistee Zoning Ordinance, and the Public Act 267 of 1976, as amended, the Open Meetings Act.

2. OFFICERS

2.1 Selection. At the December meeting, the Planning Commission shall elect a chair, vice-chair and secretary who shall serve for the next twelve (12) months and who shall be eligible for re-election. Vacancies in an office of the Commission shall be filled at the next regular meeting of the Commission. The membership shall elect one of its members to fill the vacancy until the next annual election.

2.2 Duties. The chair shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein.

The vice-chair shall act in the capacity of the chair in the absence of the chair or in the event of a vacancy in the office of chair; in which case, the Commission shall select a successor to the office of vice-chair at the earliest practicable time.

The Secretary shall be responsible for execution of documents in the name of the Planning Commission, the preparation of minutes, keeping of pertinent public records, delivering communications, reports, and related items of business of the Commission, issuing notices of public hearings and performing related administrative duties to assure efficient and informed Commission operations. The Secretary may appoint a Recording Secretary to handle the administrative functions of the office. In the event the Secretary is absent, the chair or acting chair shall appoint a temporary secretary for such meeting.

2.3 Tenure. The officers shall take office at the first regularly scheduled meeting immediately following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office.

3. MEETINGS

- 3.1 Meeting Notice. Notice of all meetings shall be posted at City Hall by December 31st of each year. The notice shall include the date, time and place of the meeting. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls on or near a legal holiday, the Commission shall select suitable alternate dates in the same month, in accordance with the Open Meeting act.
- 3.2 Attendance A member may be removed from office by the appointing City Council for neglect of official duty or misconduct in office after being given a written statement for reasons and an opportunity to be heard thereon. Un-excused absences may be reason for removal and three (3) un-excused absences in a row, shall be reported in writing to the City Manager.
- 3.3 Special Meetings. A special meeting may be called by three members of the Planning Commission upon written request to the Secretary or by the Chairperson. The business which the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open meeting Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meeting act, and the Secretary or Recording Secretary shall provide notice to commission members by writing, telephone, or e-mail.
- 3.4 Quorum. In order for the Commission to conduct business or take any official actions, a quorum consisting of at least five of the nine members of the Commission shall be present. When a quorum is not present, no official action, except for the closing of the meeting may take place. The members of the commission may discuss matters of interest, but shall take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required provided the date, time and place is announced at the meeting.
- 3.5 Public Hearings. Hearings shall be scheduled and due notice given in accordance with the provisions of the Acts and Ordinance cited in Section 1. Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure.

5. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS

- 5.1 All meetings of the Commission shall be open to the public and held in a place available to the general public.
- 5.2 All deliberations and decision of the Commission shall be made at a meeting open to the public.
- 5.3 A person shall be permitted to address a hearing of the Commission under the rules established in subsection 3.5, and to address the Commission concerning non-hearing matters at the time designated for such comments.
- 5.4 A person shall not be excluded from a meeting of the Commission except for breach of the peace, committed at the meeting.
- 5.5 All records, files, publications, correspondences, and other materials are available to the public for reading, copying, and other purposes as governed by the Freedom of Information Act.

6. COMMITTEES

- 6.1 Executive Committee. The Executive Committee of the Planning Commission shall consist of the Chair, Vice -Chair and Secretary. The Executive Committee shall be the Joint Ordinance Review Committee.
- 6.2 Ad Hoc Committees. The Planning Commission or Chair of the Planning commission may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. No more than four members of the Planning Commission may serve on an ad hoc committee at any given time. Committee appointments shall be made at the first regular meeting held in January of each year or at the time the committee is formed.
- 6.3 Rules of Procedure. All Sub-committees are subservient to the Planning Commission and report their recommendations to the Planning Commission for review and action and shall be conducted in accordance with generally accepted parliamentary procedure as adopted by City Council for all Boards and Commissions within the City of Manistee.

7. ANNUAL REVIEW OF BY-LAWS

The Commission shall annually review their By-Laws at the regularly scheduled meeting in January .

8. AMENDMENTS

These rules may be amended by the Commission by a concurring vote subject to subsection 3.7, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered.

I HEREBY CERTIFY that the above Bylaws were adopted the 7th day of December, 2006.

Maureen Barry, Secretary

Approved by the City of Manistee Council

Date

, Mayor

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 5: General Provisions
DELETE - Decks from Section 505.A Water Protection

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 5: General Provisions - Section 505.A Water Protection be amended by DELETING Decks as follows:

A. Where any building, structure or improvement is proposed for property abutting Manistee Lake, the Manistee River Channel, Lake Michigan or any man-made lake, additional waterfront setbacks shall be provided to offer protection for said water body. Such setbacks shall be increased to the following (see Table 7-1 for a complete schedule of regulations):

District	R-1	R-2	R-3	R-4	C-2	C-3	WF	LI	G-I
Waterfront Yard (feet)	100	20	20	20	20	20	20	N/A	50

Provided, that these increased setback standards shall not apply to walkways, ~~decks~~, boat docks, boat slips, boat houses and boat launches. The increased setback areas shall be designed to provide additional protection for the water bodies.

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor Dated

ATTEST:

Michelle Wright Dated
City Clerk/Deputy Treasure

**AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED “MANISTEE CITY ZONING ORDINANCE”
WHICH WAS ADOPTED FEBRUARY 21, 2006,**

To Amend the Manistee City Zoning Ordinance
Article 16: L-I, Light Industrial
REMOVE - Mine, Sand and Gravel as a Special Use in the District

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 16: LI, Light Industrial be amended as follows:

Amend Section 1600 (List of Special Uses) by DELETING:

- ◆ Mine, Sand and Gravel

Amend Section 1602. Uses Permitted by Special Land Use Permit by DELETING:

- J. Mine, Sand and Gravel, subject to Section 1856 (renumber remainder of list)

And make appropriate edits to index and chart provisions as necessary

2. **CONFLICTING ORDINANCES:** that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. **EFFECTIVE DATE:** This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

Mayor

Dated

ATTEST:

Michelle Wright

Dated

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 18: Standards and Requirements for Special Uses
AMEND - Section 1801 Special Use Procedures
 Subsection A. Submission of Application
 Subsection B. Data Required
 Subsection C. Special Use review procedures

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 18: Standards and Requirements for Special Uses - Section 1801 Special Use Procedures, (Subsections) A. Submission of Application, B. Data Required, and C. Special Use review procedures be amended as follows:

Section 1801 SPECIAL USE PROCEDURES

A Special Use application shall be submitted and processed according to the following procedures. The applicant is strongly encouraged to take advantage of the Optional Sketch Plan Review, as provided for in Section 2202 prior to the submission of an application.

A. **Submission of Application.** Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the payment of a fee and any applicant escrow payments as required by Section 2701 and in accordance with the schedule of fees adopted by the City Council to cover the costs of processing the application. An application shall be submitted to the Zoning Administrator on a Special Use application form. A Special Use application shall be placed on the agenda of the Planning Commission by the Zoning Administrator within thirty (30) days of the submission of a complete application prepared in accordance with this Zoning Ordinance. An application, which is incomplete or otherwise not in compliance with this Ordinance, shall be returned to the applicant. No application shall be processed until properly prepared and submitted and all required fees and escrow payments paid in full.

B. **Data Required.** For submission to the Planning Commission twelve (12) copies of an application for a Special Use permit shall be presented to the Zoning Administrator and accompanied by the following documents and information.

1. A complete Special Use permit application including the following information:
 - a. Name and address of applicant and owner(s).
 - b. Legal description, property parcel number, and street address of the subject parcel of land.
 - c. Area of the subject parcel of land stated in acres, or if less than one (1) acre, in square feet.
 - d. Present zoning classification of the parcel.
 - e. Present and proposed land use.

- f. A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
- g. Applicant's statement of the expected effect of the special use on emergency service requirements, schools, storm water systems, sanitary sewer facilities, automobile and truck circulation patterns, and local traffic volumes.
- h. Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be required by this ordinance, by the City Zoning Administrator or the Planning Commission; including, but not limited to, measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties; elevations on all buildings, including accessory buildings; and, an environmental assessment.
- i. A statement and other evidence or proof by the applicant of present and future compliance with the standards required for approval in this Article and other standards imposed by this Ordinance affecting the special use under consideration.

j. Declaration of property ownership, purchase agreement or evidence of agent interest in the parcel that is the subject of the request.

- 2. A complete Site Plan containing all the applicable data required by Article 22, Site Plans.
- 3. Supporting statements, evidence, data, information and exhibits that address the standards and requirements for assessing Special Use permit applications as provided in Section 1802.
- 4. Any additional information deemed necessary for the Planning Commission to determine the impact of the proposed Special Use on the adjacent properties, public infrastructure, and community as a whole. Such information may take the form of, but is not limited to, a traffic impact analysis as required by Section 2203, E, 2, an environmental assessment as required by Section 2203, E, 1, a market study as required by Section 2203, E, 3, or reports and/or testimony by officials representing state, county or local departments of public safety (police and fire), health, highways or roads, and/or environment. *(Note: the Planning Commission may request this additional information after the Public Hearing on the application.)*
- 5. The Zoning Administrator may, with the approval of the Planning Commission, waive the submission of materials outlined in this Section if such materials are determined to be not applicable to the proposed Special Use or relevant to the consideration of the Planning Commission.

C. Special Use review procedures. An application for Special Use Approval shall be processed as follows:

~~1. **Planning Commission Work Session.** The Zoning Administrator shall forward a copy of the complete application for the Special Use request to the Planning Commission within thirty (30) days of receiving the completed application. At such meeting, the Planning Commission may review the application and question the applicant about the special use. Prior to the public hearing, the Planning Commission shall not render any judgments on the application. If the Planning Commission concurs with the Zoning Administrator that the application is complete, a public hearing shall be scheduled as set forth in this Section.~~

1. Zoning Administrator Review. The Zoning Administrator shall review that application to determine that the basic information required for a Special Use application has been provided. Any deficiencies shall be noted and the Applicant advised of the additional information required. Upon determining the adequacy of the application, the Zoning Administrator shall Schedule a Public Hearing within 45 days and forward copy of the application for the Special Use request to the Planning Commission

2. Public Hearing Procedures. Notice of a hearing to consider a Special Use application shall be given by mail or personal delivery to the property owners for which Special Use permit approval is being considered, and all persons to whom real property is assessed within three hundred (300) feet of the subject property, and all persons living in any structures within three hundred (300) feet of the subject property. Notice of the public hearing shall also be published in a newspaper of general circulation in the City of Manistee in accordance with official City procedures. Such notices shall be given not less than five (5) or more than fifteen (15) days of the date of the hearing. Such notice shall include:

- a. Description of the Special Use request;
- b. General description of the property which is the subject of the Special Use application;
- c. The date, time, and location of the Public Hearing on the Special Use application; and,
- d. The time and location for written comments to be received concerning the Special Use application;

2. Public Hearing Procedures. The administrator shall notify the following persons, so the notice is sent not less than 15 days before the date that the application will be considered, and the notices sent to:

- a. The applicant.
- b. The owner of the property, if different
- c. The owners of all real property within 300 feet of the boundary for the property for which the approval has been requested, as shown by the latest assessment roll, regardless of whether the owner and property is located in the City of Manistee or not.
- d. Occupants of any structures within 300 feet of the boundary for the property for which the approval has been requested, regardless of whether the owner and property is located in the City of Manistee or not.
- e. The general public by publication in a newspaper which circulates in the City of Manistee. The notice shall include:

- 1) The Nature of the Special Use Permit being requested.
- 2) The property(ies) for which the request has been made.
- 3) A listing of all existing street addresses within the property(ies) which is (are) subject of the Special Use. (Street addresses do not need to be created and listed if no such addresses currently exists within the property. If there are no street addresses, other means of identification may be used).
- 4) The location where the application documents can be viewed and copied prior to the date the application will be considered.
- 5) The date, time and location of when the public hearing will take place.
- 6) The address where written comments with signature will be directed prior to the consideration.
- 7) For members of the Commission only, a complete copy of the special use permit application and supporting documents in the record.

3. Planning Commission Action. After the Public Hearing and upon review of the merits of the Special Use permit application, the Planning Commission shall review the application and any reports of City planning personnel, planning or engineering or other consultants. If the Planning Commission determines additional information is needed to reach a decision, the applicant shall furnish all

*requested information in a timely manner. Upon review of all relevant information, the Planning Commission shall ~~and~~ reach a decision to approve, approve with conditions, or deny the application. Such decision shall be reached within sixty (60) days following the public hearing on the application, ~~unless~~ *or receipt of any additional information requested.* ¶The applicant and the Planning Commission mutually agree to extend the time allowed for the Planning Commission to reach a decision. *However, the Planning Commission shall render a decision within 30 days of an applicant's written request for a determination whether or not all requested information has been submitted.* The Planning Commission's decision shall be incorporated in a motion containing conclusions reached relative to the proposed Special Use which motion shall provide the basis for the decision and any conditions imposed.*

4. Basis for Action. In arriving at their decision, the Planning Commission shall refer to and be guided by those standards set forth in this Article. If the facts regarding the Special Use do not establish by a preponderance of the evidence that the standards and requirements set forth in this Article can and will be met, the application shall be denied.
5. Attachment of Conditions. Subject to the terms of Section 1802, B, the Planning Commission may prescribe conditions of approval deemed necessary for the protection of the general welfare, individual property rights, and to ensure that the purposes of this Ordinance are met.

NO CHANGES WERE MADE TO THE REMAINDER OF SECTION 1801

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor

Dated

ATTEST:

Michelle Wright

Dated

City Clerk/Deputy Treasure

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 18: Standards and Requirements for Special Uses
AMEND - Section 1870 Planned Unit Development
Subsection D. Dimensional and Use Standards
Subsection E. PUD Application
Subsection F. Procedure

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 18: Standards and Requirements for Special Uses - Section 1870 Planned Unit Development (Subsections) D. Dimensional and Use Standards, E. PUD Application and F. Procedure be amended as follows:

Section 1870 Planned Unit Development

NO CHANGES WERE MADE TO SUBSECTIONS A.- Definition, B - Statement of Intent, C - Regulations and Conditions.

D. Dimensional and Use Standards: In acting upon the application, the Planning Commission may alter lot size standards, required facilities, buffers, open space areas, setback requirements, height limits, building size limits, off-street parking regulations, landscaping rules, and miscellaneous regulations, where such regulations or changes are reasonable and consistent with the intent, objectives, and standards set forth in Section 1870, 2. Further, the Planning Commission may also alter residential density limits, providing they are generally compatible with the purpose and intent of the Planned Unit Development Section B of this ordinance, are compatible with adjacent land uses, and do not over burden roadway capacity.

The Planning Commission may authorize principal and other uses not permitted in the district where the land is located, provided that such are consistent with the intent of this section and the standards set forth herein. Dimensional and parking use restrictions of the underlying zoning shall not apply to the area within an approved PUD unless expressly retained in the permit

Any deviations granted under this section which do not conform to the City of Manistee Master Plan shall include written findings of fact justifying the exceptional variance.

E. PUD Application. A planned unit development application shall be submitted to the Planned Unit Development Review Subcommittee (Subcommittee) of the Planning Commission for review, analysis, and recommendation. An application fee is required and shall be non-refundable. The City Council shall by resolution establish the amount of the application fee. All land for which application is made must be owned by or under the control of the applicant, and the parcel must be capable of being planned and developed as one integral unit including any non-contiguous parcels. The application must be signed by

all applicants and must contain the materials described in this Section. Failure of the applicant to provide such requested information in a timely manner may delay the process of review. The following shall accompany a planned unit development special use application, unless waived by the Planning Commission Subcommittee (Note: the Planning Commission may request this additional information after the Public Hearing on the application):

(NO CHANGES TO REMAINING PARTS OF SUB SECTION E)

F. Procedure.

1. The Planning Commission work session required by Section 1801, C, 1, shall be held prior to any action by the Planning Commission. Following the work session, the Planning Commission may schedule the application for public hearing:
1. Prior to formal submittal of application, applicant shall meet at least once with the Planned Unit Development Review Subcommittee. When the applicant is ready to submit a formal application to the Planning Commission, it shall be accompanied by written review and recommendation from the Subcommittee. The Zoning Administrator shall then schedule a public hearing.
2. A public hearing by the Planning Commission shall be held on each planned unit development request properly filed under the terms of this ordinance. Notice of the public hearing shall be given not less than five (5) nor more than fifteen (15) days before the date of the public hearing. Notice shall be published in a newspaper of general circulation in the City and shall be mailed or personally delivered to:
 - a. The owners of the property for which approval is being considered.
 - b. All persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question.
 - c. At least one occupant of each dwelling unit or spatial unit owned or leased by different persons within three hundred (300) feet of the boundary of the property in question. Where a single structure contains more than four (4) dwelling units or other distinct spatial units, notice may be given to the manager or owner of the structure with a request to post the notice at the primary entrance to the structure. Where the name of the occupant is not known, the term "occupant" may be used in making notification.
3. The notice of the public hearing shall contain the following:
 - a. Description of the nature of the planned unit development request.
 - b. Description of the property which is the subject of the planned unit development.
 - c. Time and place of consideration of and public hearing on the planned unit development request.
 - d. When and where written comments will be received concerning the request.
2. A public hearing by the Planning Commission shall be held on each planned unit development request properly filed under the terms of this ordinance. The administrator shall notify the following persons, so the notice is sent not less than 15 days before the date that the application will be considered, and the notices sent to:
 - a. The applicant.
 - b. The owner of the property, if different
 - c. The owners of all real property within 300 feet of the boundary for the property for which

the approval has been requested, as shown by the latest assessment roll, regardless of whether the owner and property is located in the City of Manistee or not.

d. Occupants of any structures within 300 feet of the boundary for the property for which the approval has been requested, regardless of whether the owner and property is located in the City of Manistee or not.

e. The general public by publication in a newspaper which circulates in the City of Manistee. The notice shall include:

1) The Nature of the Planned Unit Development being requested.

2) The property(ies) for which the request has been made.

3) A listing of all existing street addresses within the property(ies) which is (are) subject of the Planned Unit Development. (Street addresses do not need to be created and listed if no such addresses currently exists within the property. If there are no street addresses, other means of identification may be used).

4) The location where the application documents can be viewed and copied prior to the date the application will be considered.

5) The date, time and location of when the public hearing will take place.

6) The address where written comments with signature will be directed prior to the consideration.

7) For members of the Commission only, a complete copy of the Planned Unit Development application and supporting documents in the record.

NO CHANGES WERE MADE TO THE REMAINDER OF SECTION 1870

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor

Dated

ATTEST:

Michelle Wright

Dated

City Clerk/Deputy Treasure

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 21: Signs
AMEND - Section 2103 Exempt Signs
Item H
Item J

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 21 Signs - Section 2103 Exempt Signs Item H and Item J be amended as follows:
 - H. For sale, for rent and future development site signs on real property, provided such signs do not exceed six (6) square feet in the R-1, R-2, R-3, R-4, and C-2 districts or sixteen (16) square feet in the C-1, C-3, W-F, L-I or G-I districts
 - J. Political election signs ~~with a maximum area of eight (8) square feet~~; provided such signs shall be temporarily erected not more than four (4) months prior to an election and such signs shall be removed not more than seven (7) days following an election.

NO CHANGES WERE MADE TO THE REMAINING ITEMS IN SECTION 2103

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor Dated

ATTEST:

Michelle Wright Dated
City Clerk/Deputy Treasure

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 21: Signs
Change Table 2100-1 Use Types and Sign Standards
CHANGE Nursing and Convalescent Homes from
Section 2107 - Use Type 2, Residential and Recreational Commercial
to Section 2108 - Use Type 3, Commercial and Office

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 21: Signs be amended as follows:

Amend Section 2107 - Use Type 2, Residential and Recreational Commercial by DELETING:

Nursing and Convalescent Homes from the Example of Uses

Amend Section 2108 - Use Type 3, Commercial and Office by ADDING:

Nursing and Convalescent Homes to the Example of Uses

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor Dated

ATTEST:

Michelle Wright Dated

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 21: Signs
Change Table 2100-1 Use Types and Sign Standards
CHANGE Golf Course from
Section 2107 - Use Type 2, Residential and Recreational Commercial
to Section 2109 - Use Type 4, Institutional

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 21: Signs be amended as follows:

Amend Section 2107 - Use Type 2, Residential and Recreational Commercial by DELETING:

Golf Course from the Example of Uses

Amend Section 2109 - Use Type 4, Institutional by ADDING:

Golf Course to the Example of Uses

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor Dated

ATTEST:

Michelle Wright

Dated

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 22: Site Plan Review
AMEND - Section 2203 Application Procedure
Subsection D - Detailed Site Plan

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 22 Site Plan Review - Section 2203 Application Procedure (Subsection) D. Detailed Site Plan be amended as follows:

D. Detailed Site Plan. A detailed site plan shall be required for all uses other than those that may submit a basic site plan. Detailed site plan shall include twelve (12) copies of all required information and twenty-five (25) copies of any documents rendered in color. It shall be prepared by an Engineer, Architect, Landscape Architect or Planner Surveyor licensed to work in Michigan and shall include and illustrate at a minimum the following information:

NO CHANGES WERE MADE TO THE REMAINING ITEMS IN SUBSECTION
D DETAILED SITE PLAN

And make appropriate edits to index and chart provisions as necessary

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

, Mayor

Dated

ATTEST:

Michelle Wright

Dated

City Clerk/Deputy Treasure

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 25: Zoning Board of Appeals
AMEND - Section 2500 Establishment
AMEND - Section 2501 Membership, Terms of Office

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Article 25 Zoning Board of Appeals - Section 2500 Establishment and Section 2501 Membership, Terms of Office be amended as follows:

SECTION 2500 ESTABLISHMENT

There is hereby established a Zoning Board of Appeals in accordance with ~~Act 207 of the Public Acts of Michigan of 1921, as amended, being the City or Village Zoning Act. Section 601 of the Michigan Zoning Enabling Act (Act 110 of the Public Acts of 2006, as amended).~~ The Zoning Board of Appeals shall perform its duties and exercise its powers as provided by said Act, as amended, and in such a way that the objectives of this Ordinance may be equitably achieved; that there shall be provided a means for competent interpretation and controlled flexibility in the application of this Ordinance; that the health, safety, and welfare of the public be secured; and that substantial justice be secured.

SECTION 2501 MEMBERSHIP, TERMS OF OFFICE

The Zoning Board of Appeals shall consist of five (5) members appointed by the City Council. The first member of such board shall be a member of the Planning Commission, and the Commissioner's term on the board shall be concurrent with his term on the Planning Commission. The Mayor of the City of Manistee with approval of the City Council shall appoint the remaining members of the Board. The members selected shall be representative of the population distribution and of the various interests present in the City. One member may be a member of the City Council. An elected officer of the City shall not serve as Chair of the Zoning Board of Appeals.

The total amount allowed the Zoning Board of Appeals in any one (1) year as per diem or as expenses actually incurred in the discharge of their duties shall not exceed a reasonable sum, which sum may be appropriated annually in advance by the City Council. ~~Members of the Zoning Board of Appeals shall be removable by the City Council for nonperformance of duty or misconduct in office upon written charges and after public hearing. A member shall disqualify himself from a vote in which he has a conflict of interest. Failure of a member to disqualify himself from a vote in which he has a conflict of interest shall constitute misconduct in office. A member of the Zoning Board of Appeals may be removed by the legislative body for misfeasance, malfeasance, or nonfeasance in office upon written charges and after public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify~~

